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09400HB0515ham001

LRB094 05075 RSP 43369 a

1 AMENDMENT TO HOUSE BILL 515

2 AMENDMENT NO. _____. Amend House Bill 515 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Mobile Home Local Services Tax Act is
5 amended by changing Section 11 and adding Section 2.2 as
6 follows:

7 (35 ILCS 515/2.2 new)

8 Sec. 2.2. Abandoned mobile home defined. As used in this
9 Act, "abandoned mobile home" means a mobile home that has no
10 owner currently residing in the mobile home or authorized
11 tenant of the owner currently residing in the mobile home to
12 the best knowledge of the mobile home park owner.

13 (35 ILCS 515/11) (from Ch. 120, par. 1211)

14 Sec. 11. Before any mobile home subject to the tax imposed
15 by this Act may be moved, the transporting company must obtain
16 a permit from the county treasurer certifying that the tax on
17 the mobile home has been paid for the current tax period and
18 all previous tax periods for which taxes remain due. It shall
19 be a Class B misdemeanor for any person or entity to move any
20 mobile home or cause it to be moved a distance of more than one
21 mile without having received such permit from the taxpayer. It
22 shall be a Class B misdemeanor for any taxpayer to move any
23 mobile home or cause it to be moved a distance of more than one

1 mile without such permit having been issued by the county
2 treasurer. This Section does not apply to (i) any person or
3 entity who moves a mobile home or causes it to be moved
4 pursuant to a court order, nor does this Section apply to any
5 person or municipality that moves a mobile home under the
6 Abandoned Mobile Home Act or (ii) a mobile home park owner that
7 moves an abandoned mobile home for its disposal as scrap or
8 otherwise without further use as a mobile home.
9 (Source: P.A. 88-516.)".

10 Section 10. The Mobile Home Local Services Tax Enforcement
11 Act is amended by changing Sections 395 and 402 as follows:

12 (35 ILCS 516/395)

13 Sec. 395. Reimbursement of municipality before issuance of
14 tax certificate of title. Except in any proceeding in which the
15 tax purchaser is a county acting as trustee for taxing
16 districts as provided in Section 35, an order for the issuance
17 of a tax certificate of title under this Act shall not be
18 entered affecting the title to or interest in any mobile home
19 in which a city, village, or incorporated town has an interest
20 under the police and welfare power by advancements made from
21 public funds, until the purchaser or assignee makes
22 reimbursement to the city, village, or incorporated town of the
23 money so advanced or the city, village, or town waives its lien
24 on the mobile home for the money so advanced. However, in lieu
25 of reimbursement or waiver, the purchaser or his or her
26 assignee may make application for and the court shall order
27 that the tax purchase be set aside as a sale in error. A filing
28 or appearance fee shall not be required of a city, village, or
29 incorporated town seeking to enforce its claim under this
30 Section in a tax certificate of title proceeding.

31 The changes made by this amendatory Act of the 94th General
32 Assembly are intended to be declarative of existing law.

1 (Source: P.A. 92-807, eff. 1-1-03.)

2 (35 ILCS 516/402)

3 Sec. 402. Mobile homes located in manufactured home
4 community; requirements. The person who has a certificate of
5 purchase and obtains a court order directing the issuance of a
6 tax certificate of title under Section 400 for a mobile home
7 located on a lot in a manufactured home community is liable for
8 lot rent (at the prevailing rate) beginning on the date of the
9 entry of the court order and shall either (i) qualify for
10 tenancy in the manufactured home community in accordance with
11 the community's normal tenant qualification and screening
12 procedures or (ii) remove the mobile home from the lot no later
13 than 30 days after the date of the entry of the court order.
14 However, when any county acting as trustee for taxing
15 districts, as provided in Section 35, has a certificate of
16 purchase and obtains a court order directing the issuance of a
17 tax certificate of title under Section 400 for a mobile home
18 located on a lot in a manufactured home community, the county
19 must remove the mobile home from the lot no later than 30 days
20 after the date of the entry of the court order.

21 (Source: P.A. 92-807, eff. 1-1-03.)

22 Section 99. Effective date. This Act takes effect upon
23 becoming law."